

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 MINHO THOMAS CHO)
)
 Defendant.)

Criminal Number: 05-0375 SI

**STIPULATION AND [PROPOSED]
 ORDER TO EXTEND THE MOTIONS
 BRIEFING SCHEDULE**

Since September 11, 2006, the Government has received fifteen substantive pre-trial motions from counsel for defendant Minh Cho and co-defendants David Lee, Edward Park, Richard Wong, Darrick Hom, Jay Chen, and Enrique Chan. The Government is to file its opposition papers by Friday, October 6, 2006, and the defendants are to file any reply to the Government's opposition papers by Friday, October 13, 2006. A hearing on all of the motions is scheduled for October 27, 2006.

During the week of September 11, 2006, AUSA Alexis Hunter joined this case to assist AUSA Andrew Scoble in its prosecution. Since that time, she has been making efforts to familiarize herself with the case. AUSA Hunter and AUSA Scoble have also been investigating the claims underlying the defendants' motions and preparing opposition papers. Over the past

1 week and a half AUSA Hunter has been sick with cold/flu-like symptoms and has been “in and
 2 out” of the office on sick leave and for doctor’s appointments. For such reason, AUSA Hunter
 3 requires additional time to prepare the Government’s opposition to defendant Cho’s motion to
 4 suppress evidence seized from three properties pursuant to state search warrants.

5 The Government requests a one-week extension of the October 6th filing date to file its
 6 opposition papers to Defendant Cho’s motion. AUSA Hunter has spoken with co-counsel for
 7 defendant Cho, Ms. Anne Marie Tomassini, about the Government’s request to revise the
 8 motions briefing schedule and was advised that the defense has no objection to the Government’s
 9 request.

10 The parties now agree that the Government will file its opposition papers to the
 11 defendant’s motion by Friday, October 13, 2006. The defendant will file any reply to the
 12 Government’s opposition by Wednesday, October 18, 2006. The motions hearing date will
 13 remain at October 27, 2006.

14 IT IS SO STIPULATED.

15
 16 DATED: _____

/s/ Anne Marie Tomassini
 RANDOLPH DAAR
 ANNE MARIE TOMASSINI
 Attorneys for Defendant Minh Cho

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 18
 19 DATED: _____ /s/ Alexis Hunter

ANDREW M. SCOBLE
 ALEXIS HUNTER
 Assistant United States Attorneys

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 22 PURSUANT TO STIPULATION, IT IS SO ORDERED:

- 23 1. That the government’s opposition papers shall be filed by October 13, 2006, and
 24 the defendants’ reply papers shall be filed by October 18, 2006.
 25 2. That the hearing date in this case shall remain at October 27, 2006.

26
 27 DATED: _____



SUSAN ILLSTON
 United States District Court Judge

CERTIFICATE OF SERVICE

_____ The undersigned hereby certifies that she is an employee of the office of the United States Attorney, Criminal Division, Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that she caused copies of the STIPULATION AND [PROPOSED] ORDER TO EXTEND THE MOTIONS BRIEFING SCHEDULE, in the case of United States v. Minho Thomas Cho, CR 05-0375 SI, to be served this date upon the persons below:

By Facsimile to (415) 421-1331

Mr. Randolph Daar
Anne Marie Tomassini
Pier 5 Law Offices
506 Broadway
San Francisco, CA 94133

I certify under penalty of perjury that the foregoing is true and correct. Executed on October 4, 2006 at San Francisco, California

_____/s/
ALEXIS HUNTER
Assistant U.S. Attorney